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DISCRIMINATION AGAINST WOMEN
(CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

ARMENIA*

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INTRODUCTION

1. The Convention on the Elimination of All Forms of Discrimination against Women, ratified by the Republic of Armenia, entered into force in the Republic of Armenia on 9 June 1993.

2. The present report has been prepared according to article 18, paragraph 1 (a), of the Convention on the Elimination of All Forms of Discrimination against Women, following the directives of the Committee on the Elimination of Discrimination against Women (CEDAW/C/7). The report has been prepared on the basis of information provided by the Ministry of Justice, the Ministry of Social Affairs, the Ministry of Health, and the various parliamentary committees responsible for social issues. The first part of the report contains general information describing the political, social and economic situation of Armenia. The second part studies article by article the measures undertaken by the Republic of Armenia to respect the rights described in the Convention and discusses the anticipated initiatives and difficulties involved in their implementation.

3. The report analyses the principal legislative texts of the Republic of Armenia and of the former Soviet Union that have been adopted according to the stipulations of the Convention.

4. The Republic of Armenia is presenting a short report for numerous reasons: the draft constitution is still being debated in Parliament; there is a lack of legislation in numerous fields; the Government has been focusing its efforts on alleviating the hardships caused by the blockade on goods, services and energy imposed by Azerbaijan and Turkey on Armenia; there have been continuing efforts to end the conflict between Nagorny Karabagh and Azerbaijan.

5. The texts of various laws and regulations concerning the different stipulations of the Convention can be found in the annex.

I. GENERAL INFORMATION

A. Land and population

Geographical description

6. The Republic of Armenia is a land-locked, mountainous country located in the trans-Caucasus. The smallest republic of the former USSR, Armenia covers an area of 29,800 sq. km (11,490 sq. miles). It is bounded on the north by Georgia, on the east by Azerbaijan, on the south by the Islamic Republic of Iran, and on the west by Turkey. Its terrain is predominantly mountainous with limited arable land. Its climate is diverse, ranging from dry subtropical to cold mountain weather. Its major city and capital is Yerevan, with a population of 1.3 million, roughly thirty per cent of Armenia's population.

Population

7. The population of Armenia as of 1 January 1993 was 3,722,300. During the late 1980s the population rose by only 0.8 per cent a year, reflecting a relatively low rate of natural increase (1.5 per cent) and, most importantly, a net migration out of Armenia. As a result of the conflict in Nagorny Karabagh, thousands of Armenians fled from Azerbaijan into Armenia, contributing to a population increase of some 157,000. There is also a substantial Armenian diaspora, estimated at around 4 million, living

mainly in the United States of America, France, Argentina, the Syrian Arab Republic, Lebanon, the Russian Federation and other former Soviet republics. In 1993, thirty per cent of the population was under 15 years of age, while 6.8 per cent was older than 65. The population can be analysed as follows:

Age	Total	Male	Female
0-4	373,561	192,188	381,373
5-9	393,308	201,440	191,868
10-14	349,253	178,801	170,452
15-19	310,293	157,761	152,532
20-24	285,362	145,491	139,871
25-29	303,434	145,457	157,977
30-34	346,863	165,233	181,630
35-39	285,757	133,826	151,931
40-44	211,232	99,000	112,232
45-49	122,785	57,020	65,765
50-54	165,293	76,657	88,636
55-59	166,770	77,323	89,447
60-64	159,365	73,819	85,546
65-69	119,077	54,800	66,277
70-74	47,651	17,450	30,201
75-79	36,115	12,441	23,674
80-84	28,151	9,492	18,659
85+	18,030	6,318	11,712

These figures do not include a large number of Armenians, estimated at around half a million, who left Armenia because of the economic and social conditions caused by the Azerbaijani and Turkish blockade. Most of those persons left the country temporarily and are expected to return when the conflict between Nagorny Karabagh and Azerbaijan is resolved.

Ethnic characteristics

8. The Republic of Armenia has a homogeneous population, there being very few minorities. The ethnic composition of the population in 1989 was as follows:

	Population (thousands)	Percentage of population speaking maternal language	Percentage of population speaking a second language		
			Armenian	Russian	Other
Total	3,304.8	99.1	1.9	42.2	0.6
Armenians	3,083.6	99.7	-	44.3	0.5
Azerbaijanis*	84.9	99.7	6.5	19.1	0.1
Russians	51.6	98.4	32.2	-	3.1
Kurds	4.2	-	-	-	-
Yezidis	51.9	79.7	57.8	6.5	3.1
Ukrainians	8.3	68.1	21.8	47.8	8.6
Assyrians	6.0	90.0	28.1	51.8	1.2
Greeks	4.6	58.4	41.9	35.8	2.9
Others	9.7	74.4	21.6	47.4	4.6

*This figure includes 77,000 Azerbaijanis who left Armenia for Azerbaijan. These Azerbaijanis are regarded by the Government as only having temporarily left Armenia. Presently there are 7,900 Azerbaijanis living in Armenia.

Language and religion

9. The official state language is Armenian. Armenian is the only modern representative of a distinct branch of the Indo-European language family. Its 38-character alphabet was created in the 5th century A.D.

10. Armenians are mainly Christian, belonging to the Armenian Gregorian or Armenian Apostolic Church. Armenia is recognized as the first nation to adopt Christianity as a state religion (in 301 A.D.). In the Middle Ages, Armenians also adopted Catholicism and later Protestantism. There are a few Muslim Armenians.

Life expectancy

11. The average life expectancy of the population of Armenia was 72.17 in 1992.

Year	Entire population	Male	Female
1987	73.9	71.0	76.0
1988*	62.3	61.6	62.4
1989	70.4	67.9	73.4
1990	70.7	67.4	73.3

*This sudden decrease in life expectancy reflects the effects of the earthquake which struck northern Armenia on 7 December 1988, and claimed the lives of at least 25,000 persons.

Population growth: 1.23 per cent
Birth rate: 25.79/1,000
Death rate: 6.77 deaths/1,000

B. Political structure

History

12. Armenia's history dates from the 6th century B.C. The Armenian state reached its zenith during the first century B.C., under the rule of King Tigranes, known to Armenians as Tigran the Great. During the Middle Ages, Armenia was divided between the Roman and Persian Empires, while between the 7th and 9th centuries it fell under the domination of the Arab Caliphate. During the 11th century A.D., as a result of Seljuk invasions and the anti-Armenian policies pursued by Byzantium, the Armenian state ceased to exist. In the 11th century an Armenian state was established on the north-eastern shore of the Mediterranean - the kingdom of Cilicia - which lasted until the end of the 14th century. In the 16th century Armenia was divided between the Ottoman Empire and Safavid Persia and subjected to forced assimilation and massive repression. From the 17th century onwards, Armenia attracted the attention of Russia and became part of its Caucasian agenda. The watershed event during this period was the war of 1827-1828 between Iran and Russia, which resulted in the ceding of much of present-day Armenia to Russia. The greatest single disaster in the history of the Armenians came with the outbreak of World War I. In 1915 the Ottoman authorities ordered the elimination of the entire Armenian population of the Empire, resulting in the death of around one million persons. The Armenian Diaspora was the result of those disastrous events. Modern Armenia (eastern Armenia) gained its independence from the Russian Empire in 1918, but was incorporated in 1920 into the USSR.

13. In a national referendum on 21 September 1991, an overwhelming majority of the population supported independence, which was declared formally on 23 September 1991. Levon Ter-Petrossian, a member of the Karabagh Committee, was elected Chairman of the Parliament in August 1990 and President in October 1991.

14. Serious political tensions exist between Armenia and neighbouring Azerbaijan regarding the status of Nagorny Karabagh, an Armenian enclave within Azerbaijan. In 1988 the population of Nagorny Karabagh voted for independence, prompting Azerbaijani authorities to repress the Armenian population of Azerbaijan, causing a massive outflow of refugees from Nagorny Karabagh and Azerbaijan proper. The continuing Azerbaijani blockade of the railways and the energy pipeline since November 1991 and the accompanying Turkish embargo have strangled land-locked Armenia and created a major source of tension between Armenia and Azerbaijan.

Political structure

15. Since gaining its independence in 1991, the Republic of Armenia has been working to create a democratic, multi-party republic with a presidential system of government. Legislative power belongs to the Parliament; however, the head of state is the President of the Republic. Levon Ter-Petrossian was elected President in free and fair multi-candidate elections in 1991.

16. Armenia has not yet adopted a new constitution. The 1990 Declaration of Independence will serve as the basis for a future constitution, the draft of which is currently being debated in Parliament. In the meantime, the Parliament has set about creating a constitution by passing separate blocs of laws. Laws on the President, Parliament and property have already been passed and others are being drafted.

17. The Declaration of Independence of Armenia established the principle of the separation of powers among the legislative, executive and judicial branches.

18. The head of the executive branch is the President, who is elected for five years along with the Vice-President. He is a French-style head of state, the commander-in-chief, who appoints the prime minister and the government, has the right of legislative initiative, signs and promulgates all laws and is responsible for the international relations of the state.

19. The Parliament is a unicameral body of 260 deputies. It is the seat of legislative power and is responsible for ratifying treaties, confirming the nomination and removal of the prime minister, the members of the government and other high-ranking civil servants appointed by the President. A simple majority of the Parliament is needed to pass a vote of non-confidence in the government. However, the President has no obligation to accept the vote of non-confidence. Parliamentary elections were scheduled to take place in 1995.

20. Over thirty political parties are registered in Armenia, of which thirteen are represented in Parliament. The Armenian National Movement which led Armenia to independence is the largest bloc in the Parliament, with 63 deputies. Today most debate in Parliament centres on the peace negotiations regarding the conflict in Nagorny Karabagh, the direction and pace of reforms and the adoption of a new constitution.

21. The judicial branch is divided into two levels: the Supreme Court, which is the highest judicial institution, and the district courts, located

in every administrative district. The district courts try the overwhelming majority of cases. The Supreme Court also serves as final court of appeal for Armenia. The Supreme Court is comprised of 15 judges, separated into 3 sections: civil, criminal and military. New Supreme Court judges are selected by Parliament, from a list of candidates presented by the President. The current Chief Justice of the Armenian Supreme Court is Dariel Parseghian. The Supreme Court must examine and approve all laws before they come into force. Armenia has a codified legal system, but these codes are presently being changed.

22. Armenia has implemented several judicial reforms. A law has been passed to guarantee the independence of the judiciary. The role of the Procurator General has been limited in both civil and criminal cases, steps have been taken to ensure uniformity in judicial practice throughout the country, and training seminars for judges have been introduced.

23. The legal framework and structure of the judiciary will be finalized once the constitution and the law on the judiciary - both of which are currently being debated in Parliament - are adopted.

C. Social, economic and cultural characteristics

Economic characteristics

24. The main branches of industry are engineering and metal fabrication, light industries, including textiles, apparel and footwear and the food industry. Copper, aluminium and concentrates of molybdenum, lead and zinc are produced. Gold and other precious and rare metals are mined in Armenia. Tufa, pumice, basalt, granite and marble find extensive applications in the construction materials industry. Industry in Armenia is heavily dependent on raw materials, fuel and semi-finished goods imported from former Soviet republics. Therefore, the long-lasting blockade has paralysed Armenia's economy, making it impossible to import raw materials or dispatch finished products to foreign markets. The fuel and energy shortage has worsened the situation. In the last three years most business and industrial enterprises have come to a standstill. Previous financial and trade relations have been disrupted and the ongoing economic crisis has frustrated the establishment of new business relations, joint ventures and the creation of a strong private sector. The agricultural sector, despite wide-ranging reforms including the privatization of land, is unable to meet the needs of the population. Overall, the national income of Armenia decreased by 55 per cent from 1988 to 1992. In November 1993 the Armenian Government introduced the national currency, the dram. The decision by the Russian Federation not to supply new rouble credits to Armenia was a determining factor in the decision to introduce the dram.

25. The Armenian Government has consistently pursued a radical economic reform program, pushing through the privatization of agricultural land and small industrial enterprises. By the end of 1992 the privatisation of land had been completed and government figures indicated that output had risen in some areas. Privatisation of retail and small-scale enterprises was being pursued and by mid-1993 most retail trade was accounted for by privatised outlets. In the autumn of 1993 the government managed to ward off opposition attempts to water down the reforms.

Inflation rate: 20 per cent per month (1993)
Exchange rate: US$ 1 = 385 drams (September 1994)
Foreign trade balance: US$ -98 million (US$ 205 million in imports, US$ 107 million in exports)
Net material product: 51,049 million roubles (1992)

Social and cultural characteristics

26. The condition of the population has deteriorated significantly since the country gained its independence. The number of homeless people in Armenia is staggering, a result of the earthquake and the hundreds of thousands of refugees who have fled Azerbaijan. The blockade imposed by Azerbaijan has contributed to the difficult conditions, resulting in widespread malnutrition, a higher mortality rate, low birthweight, homelessness and increased medical and psychological problems. According to the World Bank more than 90 per cent of the population live below the international poverty line. The minimum monthly wage in Armenia will buy half a pound of butter.

Elementary and secondary schools (1993/94): 1,424
Persons in these schools: 599,100
Institutes of higher education: 14
Persons in these institutes: 58,000
Technical schools: 70
Students enrolled in technical schools: 33,600
Number of physicians: 14,600
Nurses: 36,500
Hospitals: 187
Number of beds in hospitals: 30,800
Polyclinics: 526
Literacy: 98.9 per cent of the population.

D. Normative framework of human rights

27. In the absence of a new constitution, the Declaration of Independence and the International Covenant on Civil and Political Rights (adopted by the Parliament in 1991) are considered the highest laws of the land and provide the framework for the protection of human rights. Armenia is still relying on parts of the Soviet Constitution until the adoption of a new constitution. The Declaration of Independence contains the following provision: "Respectful of international instruments on human rights and the right of self-determination ..." The Parliament has ensured that all legislation conforms to the Universal Declaration of Human Rights and the international covenant. Until Armenia's codes conform to them, the international legal instruments have authority over all provisions of Armenia's legislation.

28. The district courts and the Supreme Court can invoke and implement any provisions of the Conventions that have been ratified by the Parliament. The office of the Procurator-General supervises the implementation of human rights instruments by the judiciary. A committee for legal affairs exists in every city hall and provides a forum in which citizens can express their complaints. Since the ratification of human rights instruments by Parliament, some of these committees, in collaboration with various NGOs working on human rights issues, have organized periodic public meetings where petitions are given directly to the vice-procurator. The vice-procurator explains the law in the particular case and can decide to reopen the case if there has been any violation of the law. These public meetings are televised.

29. The Parliament has adopted various laws in the field of human rights. The law on information provides for freedom of speech and press. The 1991 law on religious organizations provides for freedom of conscience and the right to profess one's faith. The 1992 law on language guarantees minorities the right to publish and study in their native languages. The 1993 law on the handicapped guarantees the social, political and individual

rights of the handicapped. The 1992 law on employment guarantees employees the right to strike and organize or join unions of their own choosing without prior authorization. A law on social and political organizations has also been passed.

30. Article 6 of the draft constitution outlines that "the state ensures the protection of human rights and fundamental freedoms, guarantees the right to property and inheritance, in accordance with the principles and norms of international law." The draft constitution also guarantees to all citizens, without any kind of discrimination, the right to life (Art. 14); the right to freedom and personal inviolability (Art. 15); the right to equal treatment under the law (Art. 17); the right to privacy (Art. 21); the right to freedom of movement (Art. 22); the right of equality between men and women (Art. 23); the right to property (Art. 24); the right to freedom of thought, conscience and religion; the right to freedom of expression (Art. 26); the right to peaceful assembly (Art. 27); and others.

31. Although Armenia remains socially a male-dominated society, women are protected by law against discrimination in all areas. But in everyday life women are often subject to discrimination. This is specially true for equal participation in decision-making at the highest levels of government. Society considers the woman to be the family guardian; the Armenian woman is more oriented towards family and children than towards active involvement in politics and social life. For instance, the law on employment, adopted in 1992, prohibits any discrimination in employment. However, there is no specific public institution responsible for ensuring the principle of equality between men and women. Both the Parliamentary Committee on Human Rights and the Parliamentary Committee on Social and Health Affairs are working on draft laws concerning women. Further, the various committees on legal affairs of the city councils also consider complaints regarding the violations of women's rights. The Ministry of Social Affairs assists women belonging to vulnerable groups such as single mothers, large families, and the elderly. The Committee on Refugees assists refugee women. Women's rights are defended by some thirty NGOs which operate in Armenia.

32. All efforts are undertaken to publicize various international human rights instruments; however, because of financial constraints, not all conventions have been translated into Armenian. In Armenia public awareness is built through media coverage and dissemination of presidential decrees and parliament decisions on the subject. However, the energy crisis (with only 2-3 hours of electricity per day) has created obstacles to public-awareness building. Due to energy shortages few people can watch television or listen to the radio; the newspapers are not enough for all the public and newspapers arrive in remote areas of the country with a delay of several days.

33. The Department for Human Rights of the Ministry of Foreign Affairs has presented a draft program on cooperation with the Centre for Human Rights of the United Nations. The program calls for the assistance from the Centre in drafting human rights legislation, holding seminars on human rights, translating human rights documents into Armenian and the establishment of a Human Rights Centre in Armenia.

II. INFORMATION RELATING TO THE ARTICLES OF THE CONVENTION

Article 1

34. In the Republic of Armenia, there is no discrimination on the basis of social origin, race, nationality, sex, level of education, language, religion, profession, residence and other criteria (Article 34 of the acting Constitution of the former USSR).

35. Among various legislative acts adopted by Armenia's Parliament, there is no general definition of "discrimination against women". Until the adoption of a new constitution equality between men and women is guaranteed on the basis of the acting Soviet Constitution. This acting Constitution establishes the following:

(a) The right to equal conditions in the fields of education and employment and in political and cultural activities;

(b) Guarantees for women's health and work;

(c) Guarantees for the creation of conditions which could permit women to pursue maternity and work.

36. Meanwhile, the conventions ratified by the Republic of Armenia are considered to take precedence over national law until the adoption of corresponding legislation in those fields. Therefore it is the International Bill of Human Rights and this Convention that guarantee equality between men and women in Armenia. The Republic of Armenia has signed the following other conventions in the field of advancement of women and protection of women's rights:

- The 1951 Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value

- The 1958 Convention concerning Discrimination in Respect of Employment and Occupation

- The 1957 Convention on the Nationality of Married Women.

Currently the Parliament is discussing the ratification of two more international conventions: the 1962 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriage and the 1952 Convention on the Political Rights of Women.

Article 2

37. The Republic of Armenia is a newly independent state, creating its new laws and drafting a new Constitution. Until the adoption of relevant laws and a Constitution, the international conventions ratified by the Republic will be in force and will be considered to take precedence over national laws.

38. The principle of equality between men and women is guaranteed by the acting Soviet Constitution.

39. The acting Criminal Code of Armenia provides for punishment for the following cases, which are considered violations of the right of non-discrimination:

- Forcing a woman to have sexual relations (Art. 137);

- Forbidding a woman to get married (Art. 118);

- Forcing a woman to obtain an abortion (Art. 121);

- Refusal of work to a woman on the basis of her pregnancy (Art. 139).

40. Men and women enjoy the same rights at work, in public and private enterprises. They must receive equal pay for equal work.

41. The Parliament of the Republic of Armenia did not assess the former laws and regulations to be discriminatory against women and thus did not pass any modifications. The Parliament of the Republic of Armenia passed a decision on 8 July 1991, entitled "On the protection of women, maternity and childhood, and the strengthening of the family". According to this decision, women and mothers have been given supplementary rights in the fields of work and social security (see the law in the annex).

42. There is no special institution responsible for the defence of women's rights. However, there are many public institutions dealing with women's rights and issues. For example, the Ministry for Social Affairs is the institution concerned with social rights.

43. Legally, women enjoy all guarantees against discrimination. However, social mores of the population make it difficult to achieve true equality in Armenian society. In reality, women, by their traditional upbringing, are more oriented towards family and children, although a majority of women have received higher education and work in all types of fields.

Article 3

44. The Republic of Armenia is on the path of democratization with a lot of economic and social difficulties. The situation of women is more difficult in Armenia, due to the blockade, military activities in the borderline areas, deep economic crisis after the collapse of the former Soviet Union, drastic decline in the standards of living during transition, increase in the unemployment rate, massive impoverishment etc. The Government has regarded the social and economic difficulties of its population as its most pressing issue. Special attention and social assistance are given to single mothers, large families and the elderly. The decision entitled "On the protection of women, maternity and childhood and the strengthening of the family" is meant to address these same objectives. In cultural fields women have the same opportunities as men. In a country where culture occupies a central role in society, women are found in this sphere's highest positions. In 1994, out of 29,482 people working in the institutions under the jurisdiction of the Ministry of Culture of Armenia (theatre, concert halls, museums, libraries), 19,994 (67.8 per cent) were women. Seven departments of culture in the local executive authorities are headed by women.

Article 4

45. There have been few special measures adopted by the Government to accelerate the de facto equality between men and women. All promotion and advancement mechanisms in the country are available to men and women, with no discrimination or preference. Social affairs departments that take care of social issues of the population, primarily women and children, have been established in all the ministries. The Parliament has a permanent committee on health and social issues and a social policy department has been created in the government, both headed by women.

46. A national programme of action has been set up including:

- The publishing and dissemination through the mass media of laws and conventions on the protection of women's rights and advancement of women;

- The creation of TV and radio programmes to provide information and advice on legal and other aspects of women's rights;

- The establishment of information and legal counseling services;

- The initiation of training sessions for senior staff in government institutions, enterprises and other organizations on the rights of working women.

There have also been special measures adopted to protect maternity (see the annex on the decision on the protection of women, maternity and childhood and the strengthening of the family).

47. In addition, there have been modifications in the legislation. In 1992, the Parliament adopted a decision entitled "On Amendments to the Marriage and Family Code of the Republic of Armenia", which stipulates that alimonies should increase and which lowers the marriage age for women from 18 to 17.

Article 5

48. In principle, women can choose any profession in the Republic of Armenia. However, in order to safeguard women's health and maternity, women are not allowed to work in positions requiring hard manual labour and on night shifts. Further, under such conditions, employment of pregnant women and nursing women is prohibited (Articles 184-187 of the Marriage and Family Code). However, women are also responsible for the upbringing of children and housekeeping. This responsibility does not stem from a concept of the superiority or inferiority of either sex, but rather from a male explanation of Armenian traditions where women enjoy the noble role of mother and all the responsibilities this description entails. The government has not undertaken to modify or alter these attitudes and cultural patterns.

49. The legislation of the Republic of Armenia stipulates appropriate measures against violation of human rights, including women's rights, and physical and moral abuse. Everyday relations between sexes are often influenced by prejudices and traditions in a society. In the past, such relations were based on a principle of inequality between a man and a woman. Traditions and customs dictated full domination of a man over a woman. This is the reason why in spite of legal norms ensuring equality of the sexes in labour and social life, family relations still remain quite unequal. The scope of men's rights in the family is considerably larger than that of women, while their obligations are considerably less. According to tradition, men have a right to physically punish women in the family. This situation has not changed till now and, therefore, crimes violating the health and dignity of women are still common.

50. In 1985, 61 rape cases were brought to Armenian courts. In 1993 the number of such cases was reduced to 18. In 1985 there were 37 cases of forced intercourse, which fall under Article 113 of the Criminal Code of the Republic of Armenia, and in 1993 there were 82. One can assume that in reality there are more such cases than are reported, since not all women turn to the law for protection. The results of a public opinion survey in

Yerevan show that about 30 per cent of 1,000 women questioned experienced violence from men (G. Poghossian, 1994). Violence, according to the women, as a rule, took place at work (34.1 per cent), in the street (29.2 per cent), or in other public places (15.2 per cent). Twenty-five per cent of the women questioned mentioned that very often men in high positions used violence against their women employees and 33 per cent considered that that was not a common practice, while 11.4 per cent had never heard of such cases. National customs and traditions force the woman to keep silent, since otherwise she would have to carry a contemptuous label of a raped woman all her life. Therefore, such crimes are not taken to court and result in personal revenge, thus boosting new crimes. The extremely low number of women judges and attorneys further aggravates the situation. In 1994, out of 124 judges in Armenia, only 23, or 18.5 per cent, were women. In the Ministry of Interior, the percentage of women in both the professional and the general category does not exceed 5 per cent. This means that women who suffered from violence from men have to turn for protection to judicial structures where men are in the majority. This, of course, does not raise the awareness of women of their legal rights and does not increase credibility of law-enforcing institutions vis-à-vis women. It is not by chance that only 4.8 per cent of questioned women consider that in case of violence they should turn to police for protection. According to the majority, the women who suffered from violence quit their job (23.9 per cent) or surrendered to the sexual harassment of their male bosses (17.5 per cent). About 8 per cent think that women turn to their husbands or relatives. During the Nagorno-Karabagh movement in 1988, and in the harshest economic and social conditions of the newly independent country, Armenian women fought next to the men for survival. The attitude of men towards women considerably changed, and today society has more respect for and gives more attention to women.

51. The mother's role in the family is emphasized and maternity leave is mandated by law. Article 5 of the Marriage and Family Code of the Republic of Armenia states that: "In accordance with the Constitution of the USSR and Armenian SSR, the family is under the protection and care of the Armenian SSR. The government is protecting the family, establishing maternity homes, kindergartens, boarding schools and other children's institutions and organizations, developing consumer services, catering establishments and giving financial assistance to mothers of large families and single mothers during childbirth and thereafter. Maternity in Armenia is subject to the particular care of the State. Special measures are taken to allow women to combine work and maternity, taking into consideration the woman's health and the interest of the mother and child. All the conditions shall be provided in the Republic for working mothers to protect their rights, to give material and moral support to mothers and children, including paid holidays for pregnancy and childbirth."

52. There are about 22 women's organizations in Armenia that defend the political, social and cultural rights of women. Some of those organizations are professional and unite women scientists, women artists, women journalists and women entrepreneurs. Others are engaged in social and political activities - peacemaking, environmental protection, protection of motherhood and childhood and gender equality. There are also international Armenian women's organizations that include representatives of the Armenian Diaspora. To enhance women's active participation in society, the Armenian Women's Council NGO established a school for women leaders in 1994. The purpose of the school is to prepare girls and young women for future careers and high posts in society. The most important NGOs are: the Republican Council for Women, the Armenian Intellectual Woman, Mariam Armenian Women Association, Armenian Humanitarian Cross, Hayouhi etc.

Women's rights are also diffused by some newspapers such as Aragast, a weekly newspaper, Asghadavarouhi ("Working women"), Man and Woman, Family and Karine, monthly magazines that cover the issue of the advancement of women and obstacles towards this, as well as other issues. There are also several television and radio programmes on family and women's issues: "Hasmik", "Women's TV" and "Armenian House".

Article 6

53. Trafficking in women and prostitution are prohibited in the Republic of Armenia. There are articles in the Penal Code dealing specifically with trafficking in women. According to Article 179 of the Code, the penalty for prostitution is a warning and a fine ranging from 50 per cent to 100 per cent of the minimum wage. There is a penalty of up to five years imprisonment and the confiscation of one's property for keeping parlour houses.

54. There are few cases of prostitutes being murdered. Investigations of these cases are carried out under the same rules and regulations as those governing investigations of other murder cases.

Article 7

55. Women are on equal terms with men, and enjoy both active and passive rights to vote. Women have the right to be elected to all public functions. This right is guaranteed by Articles 85 and 87 of the acting Constitution and Article 133 of the Penal Code. Article 85 of the acting Constitution states: "All deputies are elected by general, equal and direct elections, by secret ballot." Article 87 of the acting Constitution states: "The elections of the deputies are equal, each voter has one vote and all voters participate in the elections on equal terms." Article 133 of the Penal Code states: "The violation of the electoral right of citizens by use of violence, threat, deception or bribery is punishable by one to two years of imprisonment or two years of community service."

56. There is no legislation of the Republic of Armenia against discrimination between women and men occupying governmental posts, performing other governmental functions, and participating in non-governmental organisations concerned with the political and public life of the country. However, in reality, although the number of women working in government, parliament and other administrative bodies is quite high, few women hold high-level positions.

The Parliament of Armenia

Members of Parliament	1980	1985	1994
Women	121	121	9
Men	219	219	240

The same picture is true for other branches of power. There are no women state ministers or ministers in the present Government of the Republic of Armenia. During 1991-1994 there was only one woman minister. Out of 22 ministries, only 3 have a woman deputy minister; only 4 state departments out of 21 are headed by women; and only 2 government agencies out of 31 have women deputies. However, the number of women in the middle echelons of the Government is higher. This is especially true in the spheres of culture, science, education and health, where women make up to 31 per cent of the employees.

Participation in power at the highest levels (1994)

	Women	Men
Highest level (Prime Minister, deputy prime minister, state minister, minister, deputy ministers, head of department and agencies)	9 (4.2%)	207
Middle level (employee of ministries, government departments and agencies)		
Economy	1,248 (46.8%)	2,629
Judicial system	216 (22.7%)	737
Defense	376 (17.9%)	1,720
Science, culture, education, health, media	3,998 (81.1%)	4,928

The percentage of women in the executive branch at the highest level was only 4.2 per cent. Although it was impossible to retrieve data for 1980 and 1985, rough estimates show that during those years the percentage of women in the highest echelons of the Government did not exceed 8-10 per cent. On average, the percentage of women involved in the middle and lower echelons of the Government of Armenia is 36.8 per cent. Local legislative bodies of Armenia include 22 city councils, with 2 regional councils in Yerevan and Gumri, and 37 regional councils. Only one of those Councils is chaired by a woman. Women comprise 6.1 per cent of the total council members. Women constitute only 9.2 per cent of 130 judges of the Supreme Court of Armenia. Among these are five senior advisors, five members of the Supreme Court, and two attorneys. In 1994 only 150 out of 573 employees (20.7 per cent) of the Public Prosecutor's Office were women.

Staff of the Public Prosecutor's Office of the Republic of Armenia

	1980-1985	1994
Women	143	150
Men	560	423

Out of the 150 women working in the Public Prosecutor's Office in 1994, 21 with a degree in legal sciences worked in the task force as heads of departments, judges, senior advisors and examining magistrates. The remaining 129 were support personnel - accountants, heads of offices, typists, cleaners and couriers.

Article 8

57. Since its Declaration of Independence in 1991, the Republic of Armenia has become a full member of the international community. Armenia is rapidly establishing representations in other countries and in international organisations. However, the number of representatives is small. Armenia has seven ambassadors, six chargés d'affaires (one of whom is a woman) and 2 consuls. Four diplomats are working in the Mission of the Republic of Armenia to the United Nations in New York (one of them is

a woman). One person represents Armenia in the CSCE in Vienna, and a representative has been nominated as a representative of Armenia to the United Nations organisations in Geneva. Besides those in Armenia and in the embassies there are 117 diplomats working for the Foreign Ministry, 47 of whom are women.

Article 9

58. Issues concerning citizenship are addressed in the proposed draft law entitled "On citizenship", which is being debated in Parliament. The following points are included in the draft:

1. Women have rights equal to those of men with respect to acquiring, changing or retaining their citizenship. The marriage of a woman who is a citizen of the Republic of Armenia to an alien does not affect or change the woman's citizenship and vice-versa.

2. If a child's mother is a citizen of the Republic of Armenia, and the father is an alien, the child is considered to be a citizen of the Republic of Armenia in the following cases:

(a) If the child was born inside the territory of the Republic of Armenia;

(b) If the child was born outside the territory of the Republic of Armenia but the parents, or one of the parents, had a permanent residence in Armenia at that time;

(c) If the child was born outside the territory of the Republic of Armenia and the permanent residence of the parents was outside the territory of the Republic of Armenia at that time, the child's citizenship is established by the mutual agreement of the parents.

3. For a woman to travel outside the country, the permission of her husband is not required.

Article 10

59. Women and men in the Republic of Armenia have equal rights in the field of education. Women outnumber men in institutions of higher education and women have the same opportunities in choosing careers.

60. All seven-year-old children (boys and girls) have the right to enter the first class of co-educational public schools. Subjects offered to all students in higher grades include the humanities, physics, mathematics, economics, biochemistry, vocational and agricultural fields. The state supports all public schools; however, the Ministry of Education is currently studying a proposal which would allow the establishment of private institutions. Those who do not continue past the eighth grade receive a school-leaving certificate. Those who finish secondary school receive a certificate which notes their educational level and their grades and is the requirement for entering institutions of higher education. Education until the eighth grade is compulsory in the Republic of Armenia. There are 1,385 schools in the Republic of Armenia.

61. Assistance to children from low-income and poor families is organised based on appeals by parents and by special decisions of the school executive committees. Lack of heating in winter causes the interruption of

the education process at schools and universities (for at least for three months). High public transportation fees and an irregular schedule of public transportation result in lower attendance rates and incomplete education. The economic difficulties of the country also cause the deterioration of the education and science system. In 1994, the state budget allotment for education was only 4.5 per cent. Students, in spite of all those difficulties, continue to attend schools and universities.

62. In 1993, there were 20 private universities, institutes and colleges in Armenia with a total of 8,797 students (14.6 per cent of the total number of students in the country). The traditional "female" fields are health, where women comprise 90 per cent of the students, and education and arts, where they comprise 78.9 per cent of the students. However, their number is also significant in the fields of economics (41.9 per cent) and industry, transportation and communications (about 40 per cent). The country is known worldwide for its women artists - singers, painters, poets, writers, and actresses. During the last few years there has been a significant increase in women students in the fields of radioelectronics, computer sciences and chemistry, as well as in new fields such as management, banking, marketing, international relations and international law.

Number of women in secondary education institutions

Year	Total	Women	Percentage
1980	51,800	26,700	51
1985	47,923	25,378	52.96
1990	45,943	24,618	53.58
1994	5,180	14,551	57.79

Number of women in higher education institutions

Year	Total	Women	Percentage
1980	58,100	28,100	48
1985	34,849	29,454	53.70
1990	68,397	31,417	45.93
1994	46,507	24,230	52.10

Number of teachers in secondary education institutions

Year	Total	Women	Percentage
1980	41,995	27,118	64.6
1985	45,080	30,727	68.16
1994	58,945	44,887	76.15

Number of women in science

	Total	Women	Percentage
Scientific institutions	24,260	12,300	50.7
National academy	6,886	3,171	51.8

Number of teachers
(Percentage)

	1980		1985		1994	
	Female	Male	Female	Male	Female	Male
Primary school (1-3 classes)	88.7	11.3	92.4	7.6	94.7	5.3
Secondary school (4-10 classes)	68.5	31.5	70.5	29.1	78.7	21.3

Number of graduates by field of specialization

Field of specialization	1980		1985		1994	
	Male	Female	Male	Female	Male	Female
Technical (engineering and science)	760	3,040	860	3,440	840	860
Economics	320	480	360	540	400	700
Pedagogics	1,000	400	1,000	200	800	100
Health	350	400	500	100	300	40
Foreign languages	130	130	140	140	130	120
Music, arts	200	400	300	500	200	400
Agriculture	60	340	60	340	300	100
Veterinary science	270	130	350	150	600	150
Sports and public health	100	200	100	200	100	200

Number of scientists

	1980	1985	1994
Male	7,600 (39.8%)	8,500 (41.8%)	8,000 (52.6%)
Female	11,495 (61.2%)	11,835 (58.2%)	7,209 (47.4%)

During 1980-1989, 12,300 (50.7 per cent) of the 24,260 persons in scientific institutions were women. Of the 6,886 persons in the academy of sciences, 3,171 were women. Of those women, 532 were science candidates, 47 were doctors and 5 were members of the academy. Armenia is the fourth largest CIS recipient of scientific grants from the Soros Foundation. Of 456 grants given to Armenian scientists, 97 (21 per cent) were received by women.

63. Education abroad has also become available since the democratization of the country. Today, 50 per cent of young people studying abroad are women.

64. The National Committee of UNESCO has submitted a report on national education strategy to UNESCO headquarters. This official policy paper of the Government of Armenia on education reform will serve as a basis for a plan of action to convert the Armenian system of education to the European system. The document focuses also on the participation of women in the education process.

Article 11

65. All persons have the right to work without discrimination of any kind, including discrimination on the basis of race, sex or religion. This principle is entrenched as a constitutional provision of the former Soviet Union. Women receive the same wages as men for the same work and are entitled to equal advancement opportunities (Article 83 of the Labour Code). However, more working women are engaged in lower paid jobs in the health, education, culture and arts sectors, which results in a discrepancy between their salaries and men's. Employers are forbidden to refuse to hire or fire women on the grounds of pregnancy or maternity (Article 197 of the Labour Code). In the 1970s the percentage of women among workers and administrative staff was 41 per cent, in 1980 it was 46 per cent and in 1989 48 per cent.

	1980		1985		1993	
Sector	Women	Men	Women	Men	Women	Men
Total	551,421	660,746	648,601	732,123	440,433	465,953
	45.5%	54.5%	46.9%	53.1%	48.6%	51.4%
Industrial	349,314	516,980	414,622	564,952	213,716	338,295
	40.3%	59.7%	42.3%	57.7%	38.7%	61.3%
Cultural science and education	202,107	143,766	233,979	167,171	226,717	127,658
	58.4%	41.6%	58.3%	41.7%	63.9%	36.1%

66. Women are considered equal to men in their right to social security, protection of health and other rights. It is prohibited by law to dismiss a pregnant woman or to transfer her to a lower-paid job without her agreement (Article 197 of the Labour Code).

67. A woman is awarded 70 days of paid leave before childbirth and is entitled to two years of maternity leave (Articles 188-193 of the Labour Code). The state supports many aspects of the maternity process, including: vouchers for holiday homes; rest houses for pregnant women; extra vacations for women having children; the creation of opportunities to work according to a schedule; regular rest breaks at work; and support payments until the child reaches adult status. All these privileges and social guarantees are enumerated in the Marriage and Family Code of the Republic of Armenia (Articles 193-196 and 264-265).

68. The former Soviet Union, with its hyperpoliticized social policy, created an extensive social safety net - a system of welfare and allowances, inherited by Armenia and other CIS states. Kindergartens and a wide range of other institutions provide care for children and assist in their upbringing. Payments are reduced for families with many children and low- income and poor families. This system now covers 650,000 elderly pensioners (including 350,000 women), 1,300,000 adolescents, 23,000 single mothers, thousands of people orphaned or disabled as a result of the 1988 earthquake, and other vulnerable population groups. In this group there are also about 110,000 unemployed who have lost their jobs in the transition to a free market economy.

69. During 1993-1994, per capita income drastically decreased, and today many population groups are below the poverty level. About 90 per cent of per capita income is spent on basic commodities, primarily food and communal services. However, the minimum salary is hardly enough even for such limited things. People have to rely on savings and sell their family belongings. Underdeveloped and newly created market relations allow small

population groups to receive a high income while the main population, about 90 per cent, lives in poverty.

70. The number of single mothers is higher in urban areas. In the city of Yerevan there are 8,334 single mothers (or 36.4 per cent of all single mothers). The number of children in those families is 26,738. About 86 per cent of single mothers have one child and 14 per cent have two or more children. Due to a lack of financial resources many child-care facilities are not functioning, thus aggravating the conditions of working mothers and families in general. In 1994, the child-care facilities were attended by 104,056 children, while their actual capacity was 145,618 children.

Single mothers

	Number	Percentage
1980	-	-
1985	-	-
1994	23,620	3.5

71. As a rule, women refugees always appear to be in the most difficult situation. During five days in January 1990 people of the Armenian community of Baku, the capital of Azerbaijan, were killed, tortured, robbed or humiliated. Pregnant women and babies were molested, little girls were raped in front of their parents, Christian crosses were burned on people's backs, and the Christian faith of the community was abused. Today, the refugees, migrant and internally displaced Armenians, number 418,000, constituting 14 per cent of the entire population of Armenia. About 55 per cent of them are women. About 1 million persons (30 per cent of the population of the country) do not have shelter; of these, 514,000 live in the disaster area. According to different research, the conditions of refugee women are more difficult than those of refugee men. For example, the number of people living in extreme poverty is significantly higher in the rural areas. This is mainly due to the fact that the majority of women are unaccustomed to rural life and face difficulties such as lack of fuel and facilities and not being able to work on the land. A national program for the social and economic integration of refugees is currently being discussed by the Government of Armenia. This program will offer a solution to the shelter, employment and social issues of refugees and displaced persons within the next five years. The most vulnerable refugees receive assistance from the United Nations High Commissioner for Refugees, the World Food Programme, the International Committee of the Red Cross, the International Federation of the Red Cross, the European Community Humanitarian Office, and the United States Government.

72. The Center of Employment estimated that in May 1994 the number of unemployed women in the Republic of Armenia was 69,615, of whom 3,399 had children less than two years old, 1,745 had three or more children, and 107 were handicapped. Women constitute 63.9 per cent of the unemployed urban population. The number of unemployed in the rural areas is significantly lower: 15,990, of whom 8,379, or 52.4 per cent are women. The prevalence of women among the unemployed is explained by the fact that many women (formerly housewives) with children below two years of age receive the status of unemployed and thus are entitled to unemployment welfare in addition to the child allowance they already receive. In 1993 the Government of Armenia adopted a decision entitled "Payment of Monthly Allowance to People with Status of Unemployed and Mothers with Children below 2 Years of Age". In 1994, the monthly allowance provided to such population groups was 148 drams (US$ 0.35). All the jobless receive state

support and are referred to jobs if the possibilities exist. The international community and the Armenian diaspora have assisted unemployed women and poor families.

73. There is no specific law concerning women working in agriculture. Women in this area enjoy the same benefits as other women in society. After land privatization unemployment in rural areas became a functional phenomenon: after the closure of many factories and enterprises in rural areas many professional staff - engineers, technicians, accountants - remained unemployed. During privatization many of them received land plots, but very few wanted to go into farming, or had the financial resources to purchase the necessary facilities.

Article 12

74. A wide range of medical services are organized to address the problems of maternal care. There are local services, maternity hospitals and hospitals with maternity wards. Maternity leaves are given during pregnancy and following childbirth (the duration of such leave has been recently lengthened). Medical assistance for children as well as for mothers is regulated by the state and is accessible to the entire population.

75. In the biennium 1987-1989 the maternal mortality rate was 40.0 and in the following biennium (1990-1992) it had dropped to 38.5.

76. In 1991 the fertility rate was 2.57 children per woman, while in 1980 it was 2.3. A study of over 4,000 randomly selected women of child-bearing age in Yerevan between 1989 and 1991 revealed secondary infertility rates to be very high. Of the women sampled, 21.4 per cent had experienced primary infertility.

77. Officially the number of abortions is 2.7 per woman. But in reality abortion is the primary means of fertility control in Armenia. In 1992 the ratio of known abortions to live births was 405 to 1,000 (or 1 abortion for every 2.5 births). While this ratio is higher than in the western European states, it is one of the lowest among the newly independent states.

Figures on utilisation of means of contraception:

1992: 1.6% used the pill
0.08% used a diaphragm
33% never used any contraceptive means.

78. As for anaemia in pregnant women, existing statistics in Armenia indicate that either attendance of anaemic women at clinics or the incidence of anaemia has considerably increased over the previous three years. The rate in Armenia (24.6 per cent in 1990) is about the same as the rate among white, low-income women in the United States of America.

79. The Ministry of Health has, with UNICEF assistance, identified the following problems concerning women's health:

(a) Defective perinatal health services, for instance the absence of prenatal control in women's consultation services;

(b) Deficient breast-feeding;

(c) Virtual absence of family counselling and effective contraceptives (frequent abortions; abortion is used as the principal means of regulating births, resulting in infertility among women);

(d) Nutritional deficiencies and related conditions in pregnant women and young mothers, including iron deficiency anaemia.

80. One of the more serious problems in Armenia is the lack of family planning services. The Ministry of Health is now working to establish these services and has instituted a new project to improve prenatal services. There are numerous cases of unnatural interruptions of pregnancies. The Ministry of Health is obtaining contraceptive means with the assistance of different international organizations. It also provides hospitals with the necessary information regarding the advantages of using contraceptive means. The development of an artificial insemination center and the use of the laparoscopic method in gynaecology is a new step in the development of Armenia's family planning services. There are no restrictions on abortions for women in Armenia. However, abortions are permitted only until the fourteenth week of pregnancy in order not to endanger the woman's life.

81. The Ministry of Health has instituted a program for the fight against AIDS. During the past five years no cases of AIDS have been reported among pregnant women.

82. Today, women work without obstacles in all medical fields and professions and occupy high-ranking positions in many professions. Recently the Armenian Government adopted a decision to spend 10.4 per cent of the national income on health care - a high rate internationally - and this reflects the attention paid to this field by the Government.

Article 13

83. Since October 1993, a new network of social services has been in place in Armenia, with the objective of providing assistance especially to persons in low-income and poor families, regardless of gender. There are 65 such services in the Republic of Armenia which distribute humanitarian assistance to different social groups, provide family support, and take care of single elderly persons and the handicapped. Social assistance is provided to families without regard to sex, nationality or religion.

84. Of the nearly 95,000 handicapped persons in Armenia (most of whom became handicapped as a result of the earthquake in 1988), nearly 40,000 are women. Single elderly persons and the handicapped are in full ward of the state. Single mothers and mothers with many children enjoy the same privileges such as rights to apartments, furniture, vouchers and the right to get credit from the state.

85. Pregnant women and women with children less than one year of age cannot be sentenced to death. In some cases imprisonment of women can be changed to a conditional sentence.

86. Women enjoy equality with men in all fields of life, including sports. Women occupy important places in the cultural life of the Republic of Armenia. There are well-known academicians, musicians (including one conductor), dancers, painters, writers, and chess players.

Article 14

87. The problems of women working in agriculture are being solved in the general context of society's problems. There are no separate or specific rules or regulations concerning women in agriculture. Currently, new social services which exist in all regions of Armenia pay much needed attention to family problems and to the social improvement of women in the family. The Ministry of Health, in cooperation with UNICEF and WHO, is working on a project to improve women's health in rural areas.

88. In 1991-1992 Armenia carried out land privatization, during which 304,000 (302,400 individual and 1,600 collective) private farms were created. Land was distributed to households, with equal ownership rights for both male and female households.

Article 15

89. According to the legislation of the Republic of Armenia, women and men enjoy equal rights in both penal and civil trials (Article 8 of the Criminal Procedure Code, Article 5 of the Civil Procedure Code of the Republic of Armenia). Article 8 of the Criminal Procedure Code states: "Justice is dispensed in criminal cases and tribunals on the basis of equality of citizens before the law, without taking into consideration the origin, social class, property, race, nationality, sex, education, language, religious beliefs, profession, residence and other criteria of the parties involved." Article 5 of the Civil Procedure Code states: "Justice is dispensed in civil cases only by tribunals and on the basis of equality of citizens before the law without taking into consideration the origin, social class, property, race, nationality, sex, education, language, religious beliefs, profession, residence and other criteria of the parties involved."

90. Women in Armenia enjoy equal real estate ownership and other property rights. According to Article 3 of the Family and Marriage Code, the wife and husband possess equal personal and property rights. Women are on equal terms with men and have the right to conclude contracts and administer property. A woman can use her name for these purposes without the permission of her husband, except for property obtained during the common life of the spouses that belongs equally to the couple (Article 20).

91. Both state and commercial banks have an equal approach to loan requests submitted by men and women. In practice such transactions most often take place under men's names. However, this is not due to a discriminatory policy in the banking system, but to the relatively low involvement of women in this area of economic activity; among the managers of 57 banks functioning in Armenia, 5 are women.

Article 16

92. In the Republic of Armenia, spouses have equal rights in entering a marriage, during marriage and following a divorce. However, during a divorce the interests of any children must also be taken into account. Rights and rules concerning marriage and family relations are codified in the Family and Marriage Code of the Republic of Armenia.

93. According to Article 1 of the Family and Marriage Code, all women and men have the equal right to freely choose a spouse and to enter into marriage with their free and full consent, free of any financial gain, on the basis of love and respect, once they have reached the legal age of marriage, which is 18 years of age in Armenia.

94. A marriage is considered legal only if it is registered with the relevant public institution (Article 6 of the Family and Marriage Code).

95. Citizens have equal rights in family relations without any consideration of origin, social condition, race, nationality, sex, education, language, religious beliefs and residence (Article 18).

96. During marriage each spouse has the right to keep his or her name, or choose the name of the spouse (Article 18).

97. During their common life, decisions concerning common property and matters relating to the children are taken equally by both spouses. Each spouse has the right to choose his or her profession, workplace and residence (Article 19).

98. In the case of divorce the common property is allocated equally between the spouses; however, certain privileges are accorded to the spouse who is to take care of the children. The father must pay alimony for children. The amount is decided in proportion to his salary (Article 21).

99. The betrothal and the marriage of a child does not have any legal effect. The minimum age for marriage is decided by the relevant legislation as 18; however, in exceptional cases this can be reduced by one year for women (Article 15).

Annex

LAW OF THE SUPREME COUNCIL ON THE PRESIDENT
OF THE REPUBLIC OF ARMENIA

Article 1. The President of the Republic of Armenia shall be the Head of the Government of the Republic and shall preside over the executive of the Republic.

Article 2. The President of the Republic shall be elected by the citizens of the Republic of Armenia for a five-year term by universal and equal suffrage; voting shall be freely conducted by secret ballot.

The election procedures shall be fixed by the Law on the Election of the President of the Republic of Armenia.

Article 3. Any citizen of the Republic of Armenia who has attained the age of thirty-five years is entitled to stand for election and has resided in Armenia continuously or effectively for ten years shall be eligible for the office of President of the Republic.

The same person may not be elected to the office of President of the Republic for more than two successive terms. Any person who prior to his or her election acted as President for two and a half years may not be elected President of the Republic for more than one term.

Article 4. The election of the President of the Republic shall take place every five years, on the second Wednesday in October.

Article 5. Should any of the candidates for the Presidency of the Republic die or if insurmountable obstacles arise concerning the voting, the election of the President of the Republic shall be postponed or new elections shall be called. The obstacles shall be deemed insurmountable by the Supreme Court of the Republic of Armenia. In such cases, the Supreme Council shall arrange new elections two months later, in which new candidates may participate.

Article 6. The new President of the Republic shall assume office on the second Wednesday in December of the same year.

If the President of the Republic is not elected before the last Wednesday in November, the new President of the Republic shall assume office on the twentieth day following his election. Irrespective of the actual date of assumption of office, the term of office of the new President shall be calculated from the second Wednesday in December. In the aforementioned event, the Chairman of the Supreme Council or, if he is indisposed, its Deputy Chairman shall act as President of the Republic from the second Wednesday in December until the new President assumes office.

Article 7. Assumption of office shall occur once the following oath has been taken before the Supreme Council: "On assuming the office of President of the Republic, I swear that I shall uphold the Constitution and the laws of the Republic, independence and democracy, security, and the rights and freedoms of the citizens."

Article 8. The President of the Republic:

(1) Shall represent the Republic of Armenia within the Republic and in its international relations;

(2) Shall have the right to initiate legislation;

(3) Shall sign and promulgate the laws of the Republic within fifteen days;

He may, prior to expiry of that period, refuse to sign the draft legislation and return it to the Supreme Council, with his suggestions, for further deliberation. In such event, the Supreme Council shall either amend the legislation in accordance with the suggestions of the President of the Republic by a simple majority of the deputies whose mandates are recognized but not less than one third of the total number of deputies, or shall reaffirm its draft by a two thirds majority of the deputies present at the vote but not less than the simple majority of the total number of deputies, whereupon the President of the Republic shall sign and promulgate the draft legislation, as passed, within five days of receipt thereof;

If the President of the Republic does not sign or return the draft legislation, or if he does not sign the draft within the five-day period as stipulated in the second subparagraph of section (3) of this article, the draft legislation shall be signed and promulgated by the Chairman of the Supreme Council of the Republic of Armenia, thereby acquiring the force of law;

(4) Shall present to the Supreme Council an annual report on the political and socio-economic situation of the Republic and on the process of implementation of laws and decisions passed by the Supreme Council. He may address the nation and the Supreme Council by official communications;

He shall address the Supreme Council, if it so decides, by special official communication;

(5) May convene special sessions of the Supreme Council;

(6) Shall appoint the Prime Minister and, subject to his agreement, shall appoint and dismiss the other members of the Government, accept the resignation of the Government and inform the Supreme Council thereof within a period of two days;

The Supreme Council may, by a simple majority of the votes of the deputies whose mandates are recognized but not less than one third of the total number of deputies, request the President of the Republic to review the appointments of the members of the Government, or of some of them, or of its Chairman;

The President of the Republic shall, within a period of fifteen days, inform the Supreme Council of his decision to accept the proposed appointments to the Council or to reaffirm the previous appointments. Should the President not modify the appointments, the Supreme Council may, by a two thirds majority of the votes of the total number of deputies, terminate those appointments. The President of the Republic shall thereupon discharge the persons concerned from office;

(7) Shall direct the activities of the Government of the Republic of Armenia and may preside over the Council of Ministers;

(8) Shall present to the Supreme Council candidatures for the election of the members of the Constitutional Council, the President of the

Supreme Court, its Vice-Presidents and its members, and the public arbitrator, and for the appointment of the Principal State Prosecutor;

(9) Shall direct foreign relations, negotiate and conclude international agreements and treaties and, in the cases provided for by law, submit them to the Supreme Council for ratification;

(10) Shall appoint and recall diplomatic representatives accredited to States and international organizations;

(11) Shall receive the credentials and accept the recall of foreign diplomatic representatives;

(12) Shall preside over the National Defence Council of the Republic of Armenia, shall be Commander-in-Chief of the armies, and shall appoint the senior officers of the armed forces;

(13) Shall take the necessary measures to ensure the defence of the Republic of Armenia and of its citizens;

(14) Shall, in accordance with international norms and laws, defend the interests of Armenians outside Armenia;

(15) Shall, in the event of military attack, decide on the use of armed forces, and shall, in the event of imminent external danger, declare a state of siege throughout the territory or in certain regions. He may, in such cases, call for a general or partial mobilization;

In the event of serious disasters or other exceptional circumstances, he may, taking into account the essential need for a rapid improvement in the situation and the re-establishment of law and order, declare a state of emergency for a period not exceeding three months. An extension of the state of emergency beyond three months may be authorized only by the Supreme Council;

He shall within forty-eight hours present to the Supreme Council, for ratification, the declaration of a state of emergency or state of siege and the decision to use armed forces;

The procedures for the implementation of a state of emergency or state of siege and the use of armed forces shall be regulated by law;

(16) Shall be empowered to grant Armenian citizenship and shall decide on questions of political asylum and grant pardons;

(17) Shall annul any decisions of the Government of the Republic, the ministries, public committees and other departments and any decisions of the executive committees of the local authorities that are contrary to the Constitution of the Republic of Armenia, to the laws and decisions of the Supreme Council or to his own decrees;

(18) Shall confer decorations and medals of the Republic of Armenia and bestow titles of honour and high military, diplomatic and other ranks;

(19) Shall perform other duties prescribed by the laws of the Republic of Armenia.

Article 9. The President of the Republic of Armenia shall publish decrees and orders within the limits of his powers, in conformity with the Constitution and with the laws and decisions of the Supreme Council.

The orders issued by the President of the Republic shall be binding throughout the territory of the Republic of Armenia.

Orders of the Republic of Armenia may not be contrary to the Constitution or to the laws and decisions of the Supreme Council of the Republic of Armenia.

Any orders or decrees of the President of the Republic which are deemed by the Constitutional Council to be contrary to the Constitution or to the laws of the Republic of Armenia shall be declared void by the Supreme Council.

Article 10. The Vice-President shall be elected at the same time as the President of the Republic.

The candidate for the vice-presidency shall be proposed by the candidate for the presidency.

Candidates for the vice-presidency shall meet the same requirements as candidates for the presidency, as enumerated in article 3 hereof.

The Vice-President shall perform the personal duties of the President of the Republic of Armenia.

Should the Vice-President be unable to discharge his functions, the President of the Republic shall submit the name of a new candidate for the vice-presidency to the Supreme Council for ratification.

The Vice-President shall act as President of the Republic of Armenia if the President of the Republic:

(1) Tenders his resignation;

(2) Is unable to perform his duties;

(3) Is removed from office in accordance with the law.

The decision regarding the inability of the President of the Republic of Armenia or the Vice-President to discharge their functions shall be taken, on the basis of the proposal of the deputies or in the light of other circumstances, by the deputies of the Supreme Council by a simple majority of the deputies whose mandates are recognized, but not less than one third of the total number of deputies.

If both the President of the Republic and the Vice-President are prevented from performing their duties, the Chairman of the Supreme Council or its Deputy Chairman shall act as President of the Republic.

Article 11. The President of the Republic and the Vice-President shall be dismissed from office if convicted of treason, corruption or other crimes or offences.

The question of the dismissal of the President and Vice-President shall be discussed before the Supreme Council and the decision to transfer the case to the Supreme Court for its findings shall be taken by the deputies of the Supreme Council by a simple majority of the deputies whose mandates are recognized, but not less than one third of the total number of deputies.

The decision to dismiss the President of the Republic or the Vice-President shall be taken by the Supreme Council, by a two thirds majority of the votes of the total number of deputies, on the basis of the findings of the Supreme Court of the Republic of Armenia.

Article 12. The President of the Republic and the Vice-President shall enjoy immunity and be protected by the law.

Article 13. The status of the protection and of the office of the President of the Republic and the Vice-President and their salaries shall be determined by the Supreme Council.

Article 14. The President of the Republic of Armenia and the Vice-President may not serve on any Council of the Republic of Armenia.

The President of the Republic and the Vice-President may not, during their terms of office, belong to any governing bodies of political organizations or hold any other post, except in the cases defined by law.

1 October 1991

CONSTITUTIONAL LAW OF THE REPUBLIC OF ARMENIA ON THE ESTABLISHMENT OF AN INDEPENDENT STATE

Article 1. The Republic of Armenia shall be an independent democratic State.

Article 2. National sovereignty shall be vested in the people of Armenia, who shall exercise such sovereignty by referendums and through representative bodies.

Article 3. The Republic of Armenia shall ensure the separation of the executive, the legislature and the judiciary throughout its territory.

Article 4. The Supreme Council of the Republic of Armenia shall be vested with legislative power and other statutory powers determined by the Law on the Supreme Council.

Article 5. The Head of the Government of the Republic of Armenia shall be the President of the Republic, who shall preside over the executive and shall represent the Republic of Armenia within the country and in international relations.

Article 6. The status of the judicial bodies, their functions, principles of operation and relations with the other branches of government shall be determined by the legislation of the Republic of Armenia.

Article 7. The system of administration of the local authorities, their functions, principles of operation and relations with the other branches of government shall be determined by the legislation of the Republic of Armenia.

Article 8. The national resources of the Republic of Armenia, its land, natural and mineral resources and its economic, intellectual and cultural assets shall belong to the people of Armenia.

Property belonging in the past to the former Soviet Union and situated on the territory of the Republic of Armenia shall form part of the property of the Republic.

The Republic of Armenia shall be entitled to a part of the wealth of the former Soviet Union, namely gold, diamonds and foreign currencies, irrespective of their location.

Article 9. The right to property and the legitimacy of all the diverse forms of property shall be recognized and protected in the Republic of Armenia.

The Republic of Armenia shall encourage free competition and shall establish conditions conducive to its expansion.

Article 10. The State shall ensure, in accordance with the principles of the Universal Declaration of Human Rights and with the norms of international law, the free and equal development of its citizens irrespective of their race, nationality or belief.

Citizens of the Republic of Armenia who are outside the Republic of Armenia shall be protected by the Republic of Armenia.

The acquisition of Armenian citizenship and the loss of Armenian citizenship shall be determined by the laws of the Republic of Armenia.

Article 11. Non-governmental and political organizations shall be equal to one another and shall participate on the same basis of equality in the political, socio-economic and cultural life of the State.

Article 12. The defence of the Republic of Armenia and the maintenance of national security shall be among the fundamental concerns of the State and of the people and, for the purpose of their achievement, the Republic of Armenia shall establish armed forces and national security corps and shall declare military service obligatory.

Service in the army of the Republic of Armenia shall be one of the obligations of the citizens of the Republic of Armenia.

Article 13. The foreign policy of the Republic of Armenia shall be pursued in conformity with the norms of international law, and its bilateral relations with other sovereign States shall be conducted in accordance with bilateral conventions.

Article 14. The Republic of Armenia shall have an independent financial policy and shall for such purpose establish credit institutions and a national currency.

Article 15. The Republic of Armenia shall proclaim the Armenian language as the official language to be used in all spheres of public life and shall establish independent educational, scientific, cultural and media systems.

Article 16. Pending adoption of the new Constitution of the Armenian Republic, the former Constitution and laws shall remain in force in so far as they are not contrary to the laws passed in accordance with the present law and with the Declaration of Independence of the Republic of Armenia.

25 September 1991

DECISION OF THE SUPREME COUNCIL OF THE REPUBLIC OF ARMENIA ON THE DECLARATION OF INDEPENDENCE OF THE REPUBLIC OF ARMENIA

Adhering to the Declaration of Independence of the Republic of Armenia,

Respecting the international norms concerning human rights and the right of self-determination,

Desiring to establish a democratic State based on the rule of law, and

Taking into account the results of the referendum held on 21 September concerning withdrawal from the USSR,

the Supreme Council of the Republic of Armenia declares the Republic of Armenia an independent State.

23 September 1991

DECISION OF THE SUPREME COUNCIL OF THE REPUBLIC OF ARMENIA ON THE PROTECTION OF WOMEN, MATERNITY AND CHILDHOOD AND THE STRENGTHENING OF THE FAMILY

For the purpose of providing necessary actions for demographic development and further strengthening of the family, taking into consideration the importance of solving the urgent problems of family, maternity and childhood, attaching great importance to the problems faced by badly situated families in a market economy, the Supreme Council of the Republic of Armenia decides:

1. To establish prenatal and postnatal maternity leave for working women, with payment of full wages for:

(a) 140 days (70 calendar days for prenatal and 70 calendar days for postnatal periods);

(b) 155 days (70 calendar days for prenatal and 85 calendar days for postnatal periods) in the event of a difficult birth;

(c) 180 days (70 calendar days for prenatal and 110 calendar days for postnatal periods) in the event of a multiple birth:

In the event of a premature birth the rest of the prenatal maternity leave is added to the postnatal maternity leave.

2. That the Council of Ministers of the Republic of Armenia should work out (together with trade unions) an official system of relief for families with children, taking into consideration differences, such as place of residence, income and the cost of living index, establishing:

(a) One-time relief in the case of childbirth (for each child in the event of a multiple birth);

(b) Monthly relief for child care until the child is two years old for the following groups of working women:

- Students (if their studies are not related to their field of work);

- Women under 18;
- Women having a length of service of one year;
- Single parents or guardians;
- Unemployed women;

(c) Monthly relief until the child is 16 years old, taking into consideration age peculiarities (for students not receiving scholarships, until they are 18);

(d) Additional payment of relief for:

- Invalid children;
- Orphans;
- Children under guardianship;
- Children receiving alimony;
- Children with an infectious disease;
- Children whose parents are temporarily in the military service;

(e) Calculation of relief for those who temporarily take care of small children (under age 16), orphans or invalid children (under age 16) when the mother (or guardian) is not able to take care of them;

(f) Calculation of the amount of relief which will take into consideration the regional coefficient of current wages in the region and different places. If in a given region there are different coefficients of wages, the coefficients used will be those defined for the wages of workers and employers in non-industrial branches of the national economy;

(g) A reduced working day or week for women having children under age 14, with the agreement of the authority of the institutions or enterprises;

(h) A statistical account of the employment of women and of persons under age 18, categories of workers, ways of organizing work, illnesses and injuries and their calculation;

3. For the purpose of an invalid child's care, to pay one of the parents (or guardian) for the child's treatment, on the basis of the permit for temporary inability to work, as well as to establish an additional day off each month, paying the average daily earnings, the costs of which should be covered by social insurance;

4. To pay 50 per cent of relief, with full wages, to mothers who are willing to continue working and who have children under age 2;

5. To give:

(a) One year of leave without pay, without affecting length of service, to the mother or to the guardian of a child, until the child is 3 years old;

(b) Annual leave upon request to men whose wives are on leave taking care of their children;

6. That the Council of Ministers of the Republic of Armenia and the regional and municipal council of deputies should:

(a) Within the limits of their authority, establish, in addition to the kinds of relief foreseen by the legislation in effect for families

having children, supplementary relief and privileges, in an effort to satisfy above all the needs of families with many children, single-parent and young families, families bringing up invalid children, and children without parents.

To create a system of privileges for pregnant women and nursing mothers to enable them to obtain food rich in vitamins;

(b) Extend privileges given to women concerning their maternity (working at night, overtime, engaging in work on their days off, and professional travel limitations, additional leave, establishment of a privileged working regime and other privileges provided by legislation in effect) to fathers bringing up children without mothers (as a result of the mothers having died, being deprived of parents' rights, being in medical institutions for a long time and in other cases of absence of child care) as well as to the guardians of children who are under age;

To release from night-shift work above all those women who have children under age 14 or an invalid child under age 18;

(c) Provide for the timely transfer of pregnant women from hard jobs to easier ones:

- The authorities of institutions and enterprises (regardless of their form), trade unions, together with health services, with the participation of women's social organizations, on the basis of medical requirements, should define those working places and kinds of work that are suitable for pregnant women or that can be done by women at home, and should provide special areas for their work;
- Employing pregnant and nursing women and lowering their wages should be prohibited;

(d) Make funds available for the protection and improvement of women's and children's health, with a view to:

- Providing financial grants for the security and re-establishment of maternity clinics with modern equipment;
- Creating production of formula (food for children);
- Importing necessary tools for vaccination;
- Extending the production of medicines for children;
- Establishing joint enterprises with certain privileges in order to produce medical equipment for invalid children;

7. That a foreign citizen having a residence in the Republic of Armenia or a person who has children who are under age should receive relief on equal terms if the legislation does not stipulate otherwise;

8. That working women should receive annual leave of not less than 24 calendar days, to which two days should be added for each child who is under age;

9. To give one of the parents in families with five or more children the privilege of using free of charge the city transport (but not taxis) in the Republic of Armenia;

10. To make available to young families long-term credit for the acquisition of furniture and other necessary equipment, according to the order established by the Council of Ministers of the Republic of Armenia;

11. That the Council of Ministers of the Republic of Armenia should:

(a) Within a period of three months, make suggestions to the Supreme Council of the Republic of Armenia about changes in the legislation in effect pursuant to the present decision;

(b) Form an appropriate body in the Government that should consider the problems of families and demographic policy;

(c) Make lists of hard, poisonous, harmful industries, professions and jobs, where it is prohibited for pregnant women and teenagers to work;

12. To place the control of the present decision with the Commission of Health Security and Social Security and with the Commission of Education and Science, Language and Culture of the Supreme Council of the Republic of Armenia.

President of the Supreme Council of the Republic of Armenia
L. Ter-Petrosian

Secretary of the Supreme Council of the Republic of Armenia
A. Sahakian

July 8, 1991, Yerevan
N. 0348- 1.